

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KEVIN PATTON and EMILY
JARRELL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JACKIE CHATTERS,

Respondent-Appellant,

and

ROBERT JARRELL,

Respondent.

UNPUBLISHED

June 24, 2003

No. 245581

Jackson Circuit Court

Family Division

LC No. 01-002551-NA

Before: Markey, P.J., and Saad and Wilder, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the trial court's order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g) and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence established that the children were initially removed from respondent-appellant's custody because of her severe alcohol problem, which prevented her from properly caring for the children. Although respondent-appellant made some progress in seeking treatment for her alcoholism, she began using cocaine and heroin and her abuse of other substances worsened during the period of court wardship. Despite petitioner's offer of substance abuse treatment, respondent-appellant remained in denial about her substance abuse problem until only a few weeks before the termination hearing. Though she claimed to be seeking treatment at the termination hearing, her history of drug abuse and failed efforts at rehabilitation, coupled with the amount of additional time needed to successfully overcome her addiction, it was reasonable for the court to deny additional time for treatment. Although respondent-

appellant claims that petitioner did not offer her appropriate services to treat her addiction, petitioner was not aware of the severity of her addiction because respondent-appellant refused to release her treatment records. Under the circumstances, petitioner cannot be faulted for failing to offer respondent-appellant alternative services to help her overcome her addiction.

Considering respondent-appellant's ongoing substance abuse problem and failure to benefit from treatment, there was clear and convincing evidence that the children were at risk of harm and neglect in her care, and there was no reasonable likelihood or expectation that the conditions would significantly improve within a reasonable period of time, thereby supporting termination of respondent-appellant's parental rights under §§ 19b(3)(g) and (j). Moreover, the conditions that led to the children's removal continued to exist and were not reasonably likely to be rectified within a reasonable period of time, thereby supporting termination of respondent-appellant's parental rights under § 19b(3)(c)(i).

Finally, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The evidence supported the trial court's determination that the children needed permanence and stability in their lives, and could not wait for respondent-appellant to successfully complete treatment.

Affirmed.

/s/ Jane E. Markey
/s/ Henry William Saad
/s/ Kurtis T. Wilder